

HUR, LASH & CHOE, LLP
Attorneys at Law

Robert L. Lash
Direct: (646) 453-7536
rlash@hlnylaw.com

August 12, 2022

Via ECF

Magistrate Judge Ramon E. Reyes, Jr.
United States District Court
Eastern District of New York
225 Cadman Plaza East, Rm. 1217S
Brooklyn, New York 11201

Re: *Kim v. New York Meat et al.*
Case Number: 1:21-cv-1422

Dear Magistrate Reyes:

We represent Defendant Picnic World Corp. in this matter and write to request a conference regarding our request for a protective order. On July 19, 2022, Your Honor granted Plaintiff an extension of discovery to August 19, 2022, which the Court made clear was the final extension that the Court would grant, as Plaintiff had previously been granted at least three prior extensions to complete deposition since Plaintiff continually waited until the 11th hour to notice discovery.

Last night, Plaintiff's counsel emailed a notice of subpoena for three non-party witnesses for after the discovery cut-off date set by the Court. All of these non-parties are personally known to Plaintiff and have been known by Plaintiff's counsel for months (I say this, because Plaintiff's counsel has repeatedly mentioned these individuals for several months). We therefore ask the court to issue a protective order or quash these subpoenas (Plaintiff did not serve us with a copy of the subpoenas to the non-parties, only a notice, which is attached).

We currently have scheduled a conference with the Court on August 18, 2022 to discuss our objection to Plaintiff seeking to depose 6 other witnesses that Plaintiff had not previously noticed, despite Plaintiff's counsel's representation to the Court on July 19 that he only would seek to depose a different set of witnesses. I refer the Court to my letter dated July 28, 2022 regarding that issue, although I do note that in this overtime wage matter involving a single employee, Plaintiff has now sought the depositions of over twenty witnesses, which is utterly out of proportion to the needs of this matter.

Respectfully submitted,

/s/ Robert L. Lash
Robert L. Lash

cc: All Counsel of Record